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ONE HUNDRED EIGHTH CONGRESS

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COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

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<http://www.house.gov/judiciary>

May 21, 2003

Mr. Tom Ridge
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Ridge:

We are writing about an apparent effort to obstruct, in violation of Federal criminal law, your office's investigation of whether the Department of Homeland Security ("DHS") terrorism fighting resources were utilized for partisan political purposes in Texas. We urge you to take immediate action to halt this apparent cover-up of wrongdoing.

It has been reported that the State's Department of Public Safety ("DPS") ordered the destruction of all records and photos pertaining to the search for the Democratic Texas House members who left the State in the midst of a redistricting battle. As we indicated in our previous letter to DHS, it has also been reported that DPS was one of the entities that made contact with DHS to request its assistance in this matter. Thus, these records may well contain information critical to your Inspector General's investigation. The destruction of such records could constitute a violation of federal statutes pertaining to obstruction of justice. For instance, section 1512(b) of title 18, United States Code, makes it a federal offense to:

"corruptly persuade[] another person, or attempt[] to do so, or engage[] in misleading conduct toward another person, with intent to . . . (2) cause or induce any person to --

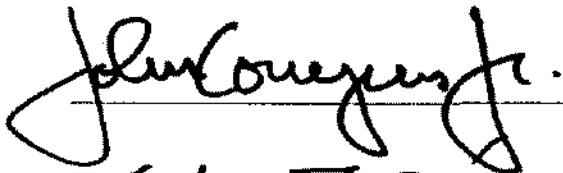
- (A) withhold testimony, or withhold a record, document, or other object, from an official proceeding;
- (B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding; [or]
- (C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding."

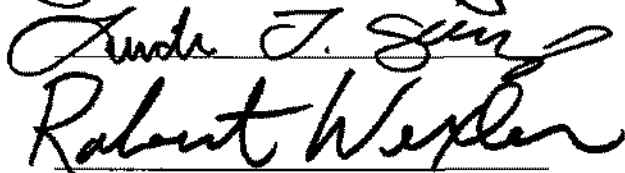
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The explicit purpose of these prohibitions is to ensure that those who engage in misconduct do not avoid prosecution merely by destroying the evidence of their crimes.

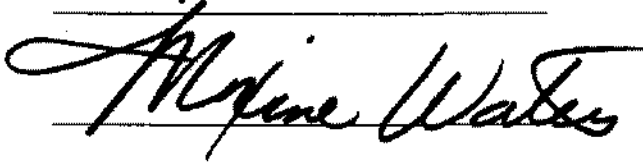
We urge your office to expand its investigation to include these serious allegations. If you require further information, please feel free to contact Perry Apelbaum or Ted Kalo of the House Judiciary Committee staff at (202) 225-6906. Please reply to 2142 Rayburn House Office Building, Washington, DC 20515.

Sincerely,







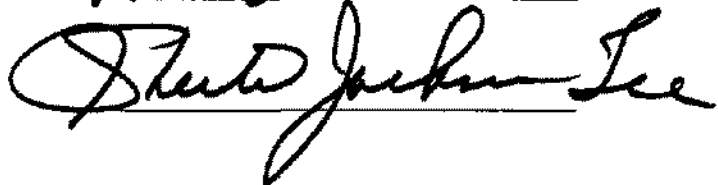












cc: Ms. Lisa M. Redman
Assistant Inspector General for Investigations